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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,415	03/27/2001	Alejandro M. Grignetti	51185.00008	1371

7590

08/13/2004

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/818,415	<b>Applicant(s)</b> GRIGNETTI, ALEJANDRO M.	
	<b>Examiner</b> Hussein A El-chanti	<b>Art Unit</b> 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/01</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to application filed on March 27, 2001. Claims 1-15 are pending examination.

### *Drawings*

2. Formal Drawings are required to be submitted by the applicant.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6 and 8-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Multer et al., U.S. Patent No. 6,671,757 (referred to hereafter as Multer).

As to claim 1, Multer teaches a portable apparatus for viewing digital content received from a data communication network, the portable apparatus comprising:

a non-volatile storage medium capable to store digital content received from a data communication network (see col. 3 lines 32-55);

a display communicatively coupled to the non-volatile storage medium and capable to display images content (see col. 9 lines 46-col. 10 lines 17);

a processor communicatively coupled to the non-volatile storage medium (see col. 3 lines 32-55); and

a content browsing engine executable by the processor and capable to select digital content stored in the non-volatile storage medium (see col. 9 lines 46-col. 10 lines 17).

As to claim 2, Multer teaches the portable apparatus of claim 1 wherein the data communications network includes the internet (see abstract).

As to claim 3, Multer teaches the portable apparatus of claim 1 wherein the digital content includes data relating to any one of a website, an electronic document, a digital photograph, multimedia content, or digital music (see col. 10 lines 1-15).

As to claim 4, Multer teaches the portable apparatus of claim 1 wherein the digital content is stored in the non-volatile storage medium as a content bundle (see col. 10 lines 1-15).

As to claim 5, Multer teaches the portable apparatus of claim 1 wherein the digital content is viewed while the portable apparatus is not connected to the data communication network (see col. 46 lines 20-35),

As to claim 6, Multer teaches the portable apparatus of claim 1 wherein the digital content was previously downloaded from the data communication network (see col. 3 lines 32-55).

As to claim 8, Multer teaches the portable apparatus of claim 1 wherein the portable apparatus is communicatively coupled to a host processing device and wherein digital content is downloaded to the non-volatile storage medium in response to print commands issued in the host processing device (see col. 3 lines 32-55, where "print"

means "store" as referred to by the applicant in the specification of the application on page 14).

As to claim 9, Multer teaches the portable apparatus of claim 1 wherein the portable apparatus is communicatively coupled to a host processing device and wherein the portable apparatus is capable to perform a first operation in response to a command from a first user and the host processing device is capable to perform a second task in response to a command from a second user (see col. 13 lines 35-67).

As to claim 10, Multer teaches the portable apparatus of claim 1 wherein the processor executes the content browsing engine so that the client window of the content browsing engine remains on display during the operation of the portable apparatus (see col. 9 lines 46-col. 10 lines 17).

As to claim 11, Multer teaches the apparatus of claim 1 wherein the content browsing engine is capable to call upon a helper engine to assist in decoding the digital content (see col. 13 lines 19-50).

As to claim 12, Multer teaches a method of viewing digital content received from a data communication network, the method comprising:

receiving digital content from a data communication network and storing the digital content in a non-volatile storage medium (see col. 3 lines 32-55);

executing a content browsing engine to select digital content stored in the non-volatile storage medium (see col. 9 lines 46-col. 10 lines 17); and

displaying an image of the digital content in a display (see col. 9 lines 46-col. 10 lines 17).

As to claim 13, Multer teaches an apparatus for receiving data cast transmission comprising:

a base station including a receiver (see col. 3 lines 32-55);  
a portable browser device capable to be coupled to the base station and including a non-volatile storage (see col. 3 lines 32-55); and  
a filtering engine communicatively coupled to the non-volatile storage content bundles requested by a user, the content bundles being transmitted from a data cast transmission received by the receiver (see col. 12 lines 31-41).

As to claim 14, Multer teaches a method of receiving data cast transmission, the method comprising:

receiving a data cast transmission including content bundles (see col. 3 lines 32-55);  
filtering the received content bundles so that the selected content bundles are stored in a portable non-volatile storage (see col. 12 lines 31-41); and  
viewing at least some of the stored content bundles in a display (see col. 9 lines 46-col. 10 lines 17).

As to claim 15, Multer teaches the method of claim 14, further comprising:  
transmitting a feedback information to a broadcaster of the content bundles in response to receiving the selected content bundles (see col. 3 lines 32-55).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2157

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Multer.

Multer teaches a portable apparatus for viewing digital content received from a data communication network, the portable apparatus comprising a non-volatile storage medium capable to store digital content received from a data communication network and a display communicatively coupled to the non-volatile storage medium and capable to display images content (see the rejection of claim 1).

Multer does not explicitly teach the claimed limitation "the display provides a maximized client window for the content browsing engine". Official notice is taken that one of the ordinary skill in the art at the time of the invention would be able to display maximized client window because doing so would allow the user to more easily view a text since the content provided is presented in bigger size.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Method and apparatus for restructuring of personalized data for transmission from a data network to connected and portable network appliances by Daswani et al., U.S. Patent No. 6,477,565
- System and method for using a workspace data manager to access, manipulate and synchronize network data by Mendez, U.S. Patent No. 6,151,606




6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

July 28, 2004



SALEH NAJJAR  
PRIMARY EXAMINER